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BEFORE THE
ILLINOIS COMMERCE COMMISSION

ILLINOIS-AMERICAN WATER COMPANY) DOCKET NO.
) 08-0251
Petition pursuant to Section 7-102)
of the Illinois Public Utilities)
Act for a declaration that)
approval is not required for the)
sale of real estate located in)
Dunlap, Peoria County, Illinois,)
or, in the alternative, approval)
for the sale of real estate)
located in Dunlap, Peoria County,)
Illinois.)

Springfield, Illinois
Tuesday, June 24, 2008

Met, pursuant to notice, at 9:30 a.m.

BEFORE:

MR. LARRY JONES, Administrative Law Judge

APPEARANCES:

MS. MARY SULLIVAN
100 North Water Works Drive
Belleville, Illinois 62223
Ph. 618) 239-3261

(Appearing on behalf of
Petitioner via teleconference)

SULLIVAN REPORTING COMPANY, by
Carla J. Boehl, Reporter
Ln. #084-002710

1 APPEARANCES: (Continued)

2 MR. JAMES V. OLIVERO
3 Office of General Counsel
4 527 East Capitol Avenue
5 Springfield, Illinois 62701
6 Ph. (217) 785-3808

7 (Appearing on behalf of Staff of
8 the Illinois Commerce
9 Commission)

10 MS. JENNIFER LIN
11 Office of General Counsel
12 160 North LaSalle, Suite C-800
13 Chicago, Illinois 60601

14 (Appearing on behalf of Staff
15 of the Illinois Commerce
16 Commission via teleconference)

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I N D E X

WITNESS

DIRECT

CROSS

REDIRECT

RECROSS

None .

EXHIBITS

MARKED

ADMITTED

IAWC Exhibits MJH 1.0, 2.0 and 3.0 E-Docket 17

1 exhibits to offer into the record at this time?

2 MS. SULLIVAN: Yes, Your Honor.

3 Illinois-American is moving for the
4 admission of the direct testimony of Michael J.
5 Hoffman filed via e-Docket on April 23, 2008, labeled
6 IAWC Exhibit MJH 1.0; in addition, the rebuttal
7 testimony of Michael J. Hoffman filed on June 23,
8 2008, via e-Docket, identified as IAWC Exhibit Number
9 2.0; and then the affidavit of Mr. Hoffman to support
10 those two previous filings also filed on June 23,
11 2008, via e-Docket, identified as IAWC Exhibit Number
12 MJH 3.0.

13 JUDGE JONES: Thank you. Is that agreeable to
14 Staff?

15 MR. OLIVERO: Yes, it is, Your Honor.

16 JUDGE JONES: Let the record show that those
17 three exhibits are hereby admitted into the
18 evidentiary record as filed on e-Docket. The exhibit
19 numbers and the specific date of filing were just
20 read into the record by Ms. Sullivan, so I will not
21 repeat those, other than to say as noted they are
22 IAWC Exhibits MJH 1.0, 2.0 and 3.0. Thank you.

1 (Whereupon IAWC Exhibits MJH
2 1.0, 2.0 and 3.0 were admitted
3 into evidence.)

4 JUDGE JONES: I believe the ICC Commission
5 Staff has made a filing identified as a response to
6 the Petition for Approval, is that correct?

7 MR. OLIVERO: That's correct, Your Honor. And
8 we had attached thereto a verification from Mike
9 Ostrander regarding the contents thereto.

10 JUDGE JONES: Thank you. Did you want to do
11 anything else with that particular filing other than
12 to note that it is a verified filing and it is filed
13 on e-Docket?

14 MR. OLIVERO: No.

15 JUDGE JONES: It is up to you.

16 MR. OLIVERO: No, I don't think so.

17 JUDGE JONES: We will talk about submission of
18 a draft order, a suggested order, in just a minute.

19 There is one other question that I
20 have to pose to Illinois-American Water Company.
21 It's a question that may need answered this morning
22 or later.

1 Basically, there are statements in
2 both the Staff response and the Company filing that
3 the real estate in question has been classified as
4 non-rate based property. There are some other
5 statements with respect to whether the transaction,
6 the effects of the transaction, are recorded on an
7 above or below the line basis.

8 Corresponding to the classification of
9 that property, my question goes to those statements.
10 The question is essentially when the real estate was
11 classified as non-rate base property. A related
12 question is whether the property in question was ever
13 classified as rate base property. And lastly,
14 whether the property in question is in rate base in
15 the Company's current rate proceeding.

16 So in order to provide the parties an
17 opportunity to discuss any scheduling that may apply
18 to that as well as scheduling related to a suggested
19 order, we hereby go off the record.

20 (Whereupon there was then had an
21 off-the-record discussion.)

22 JUDGE JONES: Back on the record. Let the

1 report show there was an off-the-record discussion
2 for the purposes indicated.

3 With respect to the questions I
4 raised, I believe the Company will be making a filing
5 addressing those on or before June 26. If Staff has
6 any response to make to that, the date for that would
7 be June 30. A hearing date will be set for July 2 at
8 10:00 a.m. If there is no need for that hearing, it
9 will be cancelled.

10 Also discussed off the record was a
11 date for the submission of a draft order or suggested
12 order by the Company, preceded by circulation of a
13 draft of that to the Commission Staff. In any event,
14 the date for the filing of the suggested order with
15 the Commission would be July 9.

16 Any points of clarification or
17 objection -- or correction with respect to any of
18 those dates?

19 MR. OLIVERO: None from staff, Your Honor.

20 MS. SULLIVAN: None from the Company.

21 JUDGE JONES: Let the record show those dates
22 are hereby put into place.

1 I think that's it for today's purposes
2 then. Do the parties have anything else?
3 MR. OLIVERO: Nothing here.
4 MS. SULLIVAN: We will file IAWC Exhibit 4.0 by
5 Thursday.
6 JUDGE JONES: Thank you. At this time then let
7 the record show that this hearing is over. Thanks to
8 Ms. Sullivan for circulating a call-in number.
9 At this time let the record show that
10 this matter is continued as just mentioned to a
11 hearing date of July 2 at 10:00 a.m. with
12 participation by telephone being permissible.
13 (Whereupon the hearing in this
14 matter was continued until July
15 2, 2008, at 10:00 a.m. in
16 Springfield, Illinois.)
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